

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
)
 Plaintiff,) CV-06-3012-EFS
)
 vs.)
)
804 NORTH 6TH STREET, YAKIMA,) Final Order of Forfeiture
WASHINGTON, TOGETHER WITH ALL)
APPURTEANCES, FIXTURES,)
ATTACHMENTS, AND IMPROVEMENTS)
THERETO AND THEREUPON,)
)
 Defendant.)
)
)

Plaintiff, United States of America, alleged in a Verified
Complaint for Forfeiture In Rem, that the defendant property is
subject to forfeiture to the United States pursuant to 21 U.S.C.
§ 881.

The Court has jurisdiction over this matter by virtue of 28
U.S.C. §§ 1345 and 1335. Venue is proper pursuant to 28 U.S.C. §
1335.

The defendant property consists of real property located at
804 North 6th Street, Yakima, Washington, and is legally
described as follows:

That portion of Lot 1, PARK ADDITION TO NORTH
YAKIMA, now Yakima, recorded in Volume "A" of
Plats, page 13, records of Yakima County,
Washington, described as follows:

1 Beginning at a point 550.4 feet South and 19
2 feet West of the Northeast corner of said Lot
3 1; thence South 83.5 feet; thence West 95
feet; thence North 83.5 feet, thence East 95
feet to the point of beginning.

4 Assessor's Parcel Number: 191318-23569.

5 TOGETHER with all appurtenances, fixtures,
6 attachments, and improvements thereto and
thereupon.

7 SUBJECT to any easements, rights of way,
8 reservations, exceptions, and actions of
record.

9 Real property records and a title report show that the
10 property is owned by Martha Jimenez, a single person.

11 On June 20, 2006, the United States Marshals Service posted
12 copies of the Verified Complaint for Forfeiture In Rem, Notice of
13 Complaint for Forfeiture, and Lis Pendens in the above-entitled
14 matter on the Defendant real property, as evidenced by the U.S.
15 Marshals Form USM-285 filed with the Court on June 28, 2006.

16 On June 20, 2006, the United States Marshals Service
17 attempted to personally serve Martha Jimenez with copies of the
18 Verified Complaint for Forfeiture In Rem, Notice of Complaint for
19 Forfeiture, and Lis Pendens, but were told by Martha Jimenez's
20 younger sister that Martha Jimenez had moved to Mexico months ago
21 and did not plan to return to the United States.

22 On August 11, 2006, Attorney Ricardo Hernandez filed a claim
23 to the Defendant real property on behalf of Martha Jimenez. On
24 September 1, 2006, Attorneys Ricardo Hernandez and Arturo
25 Hernandez-M. filed an answer to the complaint on behalf of Martha
26 Jimenez.

1 On July 17, 2007, the United States and Martha Jimenez, by
2 and through her attorney, Arturo Hernandez-M., filed a
3 Stipulation for Order of Forfeiture, wherein Martha Jimenez
4 agreed to the forfeiture of the Defendant real property without
5 further notice.

6 The Notice of Complaint was published on June 29, July 6 and
7 13, 2006, in the Yakima Herald Republic, a newspaper of general
8 circulation in Yakima County, Washington, as evidenced by the
9 USM-285 form filed with the Court on July 24, 2006. Rule C of
10 the Supplemental Rules for Certain Admiralty and Maritime Claims,
11 Fed. R. Civ. P., and 18 U.S.C. § 983(a)(4)(A), require that
12 claimants file a claim within thirty (30) days after final date
13 of publication of the Notice of Complaint for Forfeiture, or
14 within thirty (30) days after service of the complaint, whichever
15 occurs first. At the latest this 30-day period expired on August
16 14, 2006. No other claims to the Defendant real property have
17 been filed.

18 It appearing to the Court that record owner Martha Jimenez's
19 interest in the Defendant real property has been resolved through
20 the entry of the Stipulation for Order of Forfeiture, filed
21 herein on July 17, 2007;

22 It also appearing to the Court that no other claims have
23 been made to the defendant property;

24 **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the
25 Defendant real property located at 804 North 6th Street, Yakima,
26 Washington, is hereby forfeited to the United States of America,
27 and no right, title, or interest shall exist in any other person.
28

1 IT IS FURTHER ORDERED that the forfeited real property shall
2 be disposed of in accordance with law by the United States
3 Marshals Service.

4 DATED this 30th day of July, 2007.

5
6 s/ Edward F. Shea

7 Edward F. Shea
United States District Judge

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9 Presented by:

10 James A. McDevitt
United States Attorney

11 s/Jane Kirk

12 Jane Kirk
13 Assistant United States Attorney

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